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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GABE BEAUPERTHUY, et al., ) Case No. 06-715 SC  
)  
Plaintiffs, ) ORDER VACATING SHOW-CAUSE  
) HEARING  
v. )  
)  
24 HOUR FITNESS USA, INC., a )  
California corporation dba 24 HOUR )  
FITNESS; SPORT AND FITNESS CLUBS )  
OF AMERICA, INC., a California )  
corporation dba 24 HOUR FITNESS, )  
)  
Defendants. )  
)

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In this Court's Order re: Motions for Summary Judgment, the Court ordered Defendants to show cause as to why they should not be sanctioned for failing to adequately prepare their appointed deposition witnesses pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure. Docket No. 346 ("Order"). Both Defendants and Plaintiffs have submitted a response. Docket Nos. 347, 349. While Defendants' response has not satisfied this Court that their selected deposition witnesses had been adequately prepared, the Court is satisfied that there has been no lapse that warrants additional sanctions.

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1           The show-cause hearing scheduled for December 4, 2009 is  
2 VACATED.

3  
4           IT IS SO ORDERED.

5  
6           Dated: December 3, 2009

  
7           \_\_\_\_\_  
8           UNITED STATES DISTRICT JUDGE